A number of objections were raised in connection with the drawings for containing reference numbers which were used in the specification to designate more than one limitation. The specification has been amended to address the drawings objections and correct a few transliteration errors which caused those reference numbers be designated to more than one limitation.

Also, the title of the invention was objected to for not being descriptive. The title of the invention has been replaced with the title that was recommended by the Examiner.

Moreover, the specification was objected to for not containing proper section headings. The specification has been amended to include proper section headings and is now believed to be in compliance with the requirements of 37 C.F.R. 1.77(b).

As a result of the Office Action, claim 1 stands rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claim 1 has been amended to address those indefiniteness rejections and Applicant believes claim 1 is now in compliance with the requirements of Section 112, second paragraph, and MPEP 2173.

Claim 1 stands rejected under 35 U.S.C. 102(b) as being anticipated by Morrissey. This reference has been carefully reviewed but is not believed to show or suggest Applicant's invention as now claimed. Reconsideration and allowance of the claim 1 is therefore respectfully requested in view of the following remarks.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *MPEP 2131.* Amended claim 1 now requires a method of producing a bar notch (3) in a side of a side member (1) and a cross member notch (4) on an end of a cross member (2), the method

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comprising the steps of preliminarily shearing or punching the side member (1) to produce the bar notch (3), wherein the bar notch (3) includes a plane bottom (5), which is parallel with a side surface (1') in the side member and two equally long, oblique sides (6), which have oppositely direct equal inclinations in relation to the bottom (5), preliminarily shearing or punching the cross member (2) to produce the cross member notch (4), wherein the cross member notch has a plane end (7) in a cross member (2) and two inclined sides (8), and a second shearing of the side member (1) and the cross member (2), wherein the side member is joined with the cross member by the bar notch (3) fitting into the cross member notch (4).

Morrissey discloses an apparatus for cutting partial shingles with angled edges 37 and 38 from a shingle plate 13 with pre-cut grooves 34. The shingle plate 13 rests against a guide member 32 during the cutting operation. The apparatus includes two blades 21 and 22 are mounted on a blade support 19, which is swingably mounted on two yoke arms 15 and 16. Hence, the position of the blades 21 and 22 relative to the shingle plate is a transverse direction perpendicular to the guide member 32 and constant during the cutting operation. The blade support 19 and the blades 21 and 22 are swingingly as mounted cannot produce the bar notch and the cross member notch with such an accuracy that they can fit together. Moreover, the apparatus of Morrissey has only two blades, and therefore cannot produce a bar notch with three sides.

For purposes of clarity, Applicant provides Figures 13 and 14 herewith in Appendix A. Figure 13 illustrates a large scale schematic top view of a bar notch and a part of a knife head for production of the bar notch. The bar notch is produced by a preliminary shear as the plane front side 21 of the guide members 17 is in a small distance from the member 1. This

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creates a profile identical to the final bar notch 3 and includes oblique sides which are parallel to sides 6, and a bottom which is parallel to the bottom 5. The preliminary shear includes a depth d less than the depth D of the final shear.

Similarly, Figure 14 also illustrates a large scale schematic top of a cross member notch and a part of a knife head for production of the cross member notch.

Therefore, for the reasons stated hereinabove, not only the Morrissey reference does not disclose a the method of producing a bar notch and a cross member notch as required by claim 1, its apparatus is not capable of performing the two step shearing process of claim 1. Therefore, it is respectfully submitted that claim 1 is not anticipated by the prior art.

The prior art references made of record by the Examiner have each been considered but are not believed to obviate against the allowability of the claim 1 as amended. It is noted that none of these references have been specifically applied by the Examiner against any of the original claims.

Each issue raised in the Office Action mailed April 24, 2002, has been addressed and it is believed that claim 1 is now in condition for allowance. Wherefore, issuance of an early Notice of Allowance is respectfully requested.

Respectfully submitted,
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IN THE SPECIFICATION:

Page 4, replace the paragraph between lines 12 and 23 with:

--As shown in the drawing the rest 13 is embodied as a guide rail with a vertical, longitudinal guide list 22 at the rear end. The second of guide members consists of a number of stops 23, which are displaceable along the rest 13 and can be clamped to it by a knob-head bench screw 24. Each stop 23 has at its rear end - at the guide list 22 - [an] a lower part 25 with a U-shaped opening 26, which can accommodate the lower edge of the guide list 22, and [an] a fork-shaped upper part 27,[which is embodied as a fork,] which in its mounted position reaches in over the whole width of the rest 13. An arm 28, which can be received in the fork 27, is at one end embodied with a stop 28' against which the end of the workpiece 1, which is to be processed, can come to a rest. At the opposite end of the arm 28 is swingably hinged to the fork-shaped upper part 27 by a pin 28", so that it can be swung over to a passive position.--

Page 5, replace the paragraph between lines 14-17 with:

--When a shearing operation is started, the plane front side 21 of the guide [organs] stop 17 is held at a short distance from the side of the bar to be processed. In the final phase of the shearing operation, the front side 21 rests against the side of the workpiece 1 or 2.--

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IN THE CLAIMS:

1. (Amended) A method [Procedure for the production] of producing a bar notch (3) in [the] a side of a side member (1) and [of] a cross member notch (4) on [the] an end of a cross member (2), the method comprising the steps of:

preliminarily shearing or punching said side member (1) to produce said bar notch (3), [at the joint between a side member (1) and a cross member (2) in workpieces of wood, plastics or MDF - medium density fibreboard - where the cross member notch preferably has] wherein said bar notch (3) includes a plane bottom (5), which is parallel with a side surface (1') in the side member and two equally long, oblique sides (6), which have oppositely direct equal inclinations in relation to the bottom (5), [and]

preliminarily shearing or punching said cross member (2) to produce said cross member notch (4), wherein [where] the cross member notch has a plane end (7) in a cross member (2) and two inclined sides (8)[, which are of a shape and size such as to make the shaped cross member end (4) fit into the notch (3)], and [characterised by the fact that the side member notch (3) and the cross member shaped end (4) are produced by a punching or shearing operation, and that at least the side member notch is preferably produced in a first step - a preliminary shear - and a second step -] a [final shear or a finishing] secondarily shearing said side member (1) and said cross member (2), wherein said side member is joined with said cross member by the bar notch (3) fitting into said cross member notch (4).

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